In the High Court of Punjab and Haryana at Chandigarh

C.R. No. 3667 of 2006 (O&M)
Date of decision:12-12-2006

Smt Vidya Wati .....Petitioner

Versus

Kaptan Singh and others .....Respondents

CORAM: Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Pankaj Jain, Advocate, for the petitioner.
Mr. S.C.Setia, Sr. Advocate, with
Mr. Shiv Kumar, Advocate, for the respondents.

VINOD K.SHARMA,J. (ORAL)

The present revision petition has been filed against the order dated 23-05-2006 passed by the Civil Judge (Jr. Divn.), Faridabad, vide which application moved by the defendant-respondents under Order 7 Rule 11 of the Code of Civil Procedure seeking rejection of the plaint for non-payment of ad valorem court fee has been allowed and the petitioner has been given time to pay ad valorem court fee on the sale deeds dated 26-10-2004 and 20-12-2004 which are alleged to be null and void.

The petitioner is not a party to the said sale deeds. However, the petitioner has sought possession of the land in dispute claiming to be owner of the same. In view of this, the petitioner is

required to pay the Court fee under Section 7(v) (a) of the Court Fees Act 1870 as amended by Haryana Act No.22 of 1974.

Learned counsel for the petitioner contends that in terms of the provisions of the Court Fees Act, the petitioner has already paid the court fee. This fact is disputed.

This revision petition is disposed of with a direction that in case the petitioner has not paid the court fee in terms of Section 7 (v) (a) of the Court Fees Act, the same shall be made good within 15 days from today.

Dec. 12, 2006 **(VINOD K.SHARMA)**
'dls' **JUDGE**